DETAILED ACTION

1.   The following is a non-final, first office action on the merits. Claims 1-20 are pending.

Information Disclosure Statement

2.   The information disclosure statement fails to comply with 37 CFR 1.98(a)(2), which

requires a legible copy of each cited foreign patent document; each non-patent literature

publication or that portion which caused it to be listed; and all other information or that portion

which caused it to be listed. It has been placed in the application file, but the information

referred to therein has not been considered.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or
> composition of matter, or any new and useful improvement thereof, may obtain a patent
> therefor, subject to the conditions and requirements of this title.

4.   **Claims 1-20 are rejected under 35 U.S.C. 101 because the claimed invention is**

directed to non-statutory subject matter.

     Claims 1-20 recite a system comprising logic per se. If logic is merely computer code,

then the method fails to comprise any physical elements and the claims are directed toward a

computer program claimed as a computer listing per se, i.e., the descriptions or expressions of

the programs, are not physical "things." They are neither computer components nor statutory

processes, as they are not "acts" being performed. See MPEP 2106 IV.B.1 (a).

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and
> distinctly claiming the subject matter which the applicant regards as his invention.

6.   **Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

In claim 1, the claim is unclear as the preamble. The claim claims a system for determining mortgage payment, but the claim limitations appear to claim a method.

Claim 17 recites the limitation "the system" in line 1. There is insufficient antecedent basis for this limitation in the claim.

The Examiner finds that because particular claims are rejected as being indefinite under 35 U.S.C. §112 2nd paragraph, it is impossible to properly construe claim scope at this time. See Honeywell International Inc. v. ITC, 68 USPQ2d 1023, 1030 (Fed. Cir. 2003) ("Because the claims are indefinite, the claims, by definition, cannot be construed."). However, in accordance with MPEP §2173.06 and the USPTO's policy of trying to advance prosecution by providing art rejections even though these claims are indefinite, the claims are construed and the art is applied as much as practically possible.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   **Claims 1-3, 5, 9-10, 14, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Customer Management (John Adams. Financial Services Marketing) and Yarnall et al. (2001/0020237), and further in view of Rugge et al. (2002/0174006).**

As per claim 1, Customer Management discloses a system for determining or forecasting upcoming mortgage prepayments (Page 1, paragraph 3 discusses lenders using a system, that includes electronically tracking title searches that indicates an early clue that borrowers are looking to refinance or turnover their existing mortgages, which examiner construes to be forecasting the prepayment of mortgages) comprising:

title data (Page 1, paragraph 3 discloses electronically tracking title searches which examiner construes to inherently include title data as the system electronically searches data that is stored in title databases) representing real property (data in title searches represent real estate, page 1, paragraph 3) for which a title information has been requested (lender has requested title data by using the disclosed service to predict mortgage turnover), the title data including at least one data type for each property (the electronic searching of title data inherently includes type of data such as property address, property owner, lien holder, lien information, etc.);

loan portfolio data including outstanding loan data for outstanding loans (lender inherently has loan portfolio data relating to their borrower's mortgages) with at least one data type corresponding to at least one data type of title data (the lender's mortgage data inherently includes, for example, the property address that the mortgage applies to, the lender's name and borrower's names).

matching data formed by matching the outstanding loan data of the data type corresponding to at least one data type of title data (the electronic title search results are matched to the borrower's mortgage which is inherently done by matching corresponding data type such as matching by the lender's name, the property address or the borrower's names); and

a forecast of loan satisfactions of the loan portfolio (Page 1, paragraph 3 discusses lenders using a system, that includes electronically tracking title searches that indicates an early clue that borrowers are looking to refinance or turnover their existing mortgages, which examiner construes to be forecasting the prepayment of mortgages) based on the time period of the title data and a determination of the likely time to close the loans represented by the matching data (Page 1, paragraph 3 discuss lenders using a system, that includes electronically tracking title searches that indicates an early clue that borrowers are looking to refinance or turnover their existing mortgages, which examiner construes to be forecasting when it is a likely time for a borrower to payoff their mortgage).

Customer Management discloses all the elements of the claim 1 invention above, but fails to explicitly disclose the data is processed for a specific period of time.

Yarnall et al. discloses a system where processed data is updated on specific period of time such as on a weekly basis (paragraph [0002] and [0006] discloses a computer-implemented system where database information is retrieved and updated on a regular basis (e.g., daily, weekly, etc.).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system of Customer Management to include a time period such as on a weekly basis as taught by Yarnall et al. in order to provide the lender the updated information on borrower's mortgages.

The combination of Customer Management and Yarnall et al. discloses all the elements of the claim 1 invention above, but fails to explicitly disclose dates of loan satisfactions of the loan portfolio.

Rugge et al. discloses a system comprising dates of loan satisfactions of the loan portfolio (paragraphs [0052] and [0077] comprises the cash flow forecast date range for a home mortgage loan transaction).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system of Customer Management and Yarnall et al. to include dates of loan satisfactions of the loan portfolio as taught by Rugge et al. in order to provide the lenders the forecast date range to predict their future borrower's home mortgage loan transactions.

Therefore, in the combination of Customer Management, Yarnall et al. and Rugge et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a forecasted system to provide the lenders the ability to manage not only their actual borrower's home mortgage loan transactions but also on budgeted futures transaction as well.

As per claim 2, Customer Management discloses a system wherein the title data includes one or more of the approximate date of the outstanding mortgage origination, a zip code of the property, a street address of the property, the originator of the loan, the type of loan and the loan size for each property (Page 1, paragraph 3 discusses the lender holding mortgages where inherently includes data, for example, including the property address that the mortgage applies to, and borrower's names).

As per claim 3, Customer Management discloses a system wherein the loan portfolio data includes one or more of the approximate date of the outstanding mortgage origination, a zip code of the property, a street address of the property, the originator of the loan, the type of loan and the loan size for each property of the loan portfolio (Page 1, paragraph 3 discusses the lender's mortgage data inherently includes, for example, the property address that the mortgage applies to, and borrower's names).

As per claim 5, the combination of Customer Management and Yarnall et al. disclose a system wherein the title data is compiled or obtained on a weekly basis from one or more title plants and compared to loan portfolio data from one or more loan portfolios on a weekly basis (As discussed in claim 1 above, Yarnall et al. teaches a system where processed data is obtained or compiled for a specific period of time such as on a weekly basis (paragraph [0002] and [0006] discloses a computer-implemented system where database information is obtained and updated on a regular basis (e.g., daily, weekly, etc.).

As per claim 9, Customer Management discloses a system wherein the title data comprises title data from a one or more title plants with the same geographic region as the underlying properties of the loan portfolio (Page 1, paragraph 3 discusses the electronically search title data inherently include type of data such as property address that might be tagged with the same geographic region).

As per claim 10, Customer Management discloses a system wherein the title data comprises title data from a one or more title plants with a different geographic region as the underlying properties of the loan portfolio (Page 1, paragraph 3 discusses the electronically search title data inherently include type of data such as property address that might be tagged with a different geographic region).

As per claim 14, Customer Management discloses a system wherein the match of the loans from the portfolio to title data is either an exact match, an approximate match or a match based on an elimination process (Page 1, paragraph 3 discloses the electronic title search results are matched to the borrower's mortgage which inherently done by either an exact match or an approximate match).

As per claim 16, Customer Management discloses a system wherein comparing the

known historical loan prepayments of a loan portfolio to the dates of loan satisfactions of the

loan portfolio or a forecast of loan satisfactions of the loan portfolio, subsequent to the dates

(Page 1, paragraph 3 discuss lenders using a system, that includes electronically tracking title

searches that indicates an early clue that borrowers are looking to refinance or turnover their

existing mortgages, which examiner construes to be forecasting the prepayment of mortgages).

As per claim 17, Customer Management discloses a method for determining or

forecasting upcoming mortgage prepayments (Page 1, paragraph 3 discuss lenders using a

method, that includes electronically tracking title searches that indicates an early clue that

borrowers are looking to refinance or turnover their existing mortgages, which examiner

construes to be forecasting the prepayment of mortgages) comprising:

Obtaining title data (Page 1, paragraph 3 discloses electronically tracking title searches

which examiner construe to inherently include title data as the system electronically searches

data that is stored in title databases) for a time period (As discussed in claim 1 above, Yarnall et

al. discloses a system where processed data is obtained or compiled for a specific period of

time such as on a weekly basis (paragraph [0002] and [0006] discloses a computer-

implemented system where database information is obtained and updated on a regular basis

(e.g., daily, weekly, etc.) representing real property (data in title searches represent real estate,

page 1, paragraph 3) for which a title information has been requested (lender has requested title

data by using the disclosed service to predict mortgage turnover), the title data including at least

one data type for each property (the electronically search title data inherently include type of

data such as property address, property owner, lien information, etc.), title data including at

least one data type for each property including one or more of the approximate date of the

outstanding mortgage origination, a zip code of the property, a street address of the property,

the originator of the loan, the type of loan and the loan size for each property;

Obtaining loan portfolio data including outstanding loan data for outstanding loans

(lender inherently has loan portfolio data relating to their borrower's mortgages) with at least one

data type corresponding to at least one data type of title data (the lender's mortgage data

inherently includes, for example, the property address that the mortgage applies to, and

borrower's names) including one or more of the approximate date of the outstanding mortgage

origination, a zip code of the property, a street address of the property, the originator of the loan,

the loan type and the loan size for each property of the loan portfolio.

matching the outstanding loan data of a data type corresponding to the at least one data

type of title data (the electronic title search results are matched to the borrower's mortgage

which is inherently done by matching corresponding data types such as matching by the

property address or borrower's names); and

determining or forecasting dates of loan satisfactions of the loan portfolio (Page 1,

paragraph 3 discuss lenders using a system, that includes electronically tracking title searches

that indicates an early clue that borrowers are looking to refinance or turnover their existing

mortgages, which examiner construes to be forecasting the prepayment of mortgages) based

on the time period based on the time period of the title data and a determination of the likely

time to close the loans represented by the matching data (Page 1, paragraph 3 discuss lenders

using a system, that includes electronically tracking title searches that indicates an early clue

that borrowers are looking to refinance or turnover their existing mortgages, which examiner

construes to be forecasting when it is a likely time for a borrower to payoff their mortgage).

Customer Management discloses all the elements of the claim 17 inventions above, but

fails to explicitly disclose the data is processed for a specific period of time.

Yarnall et al. discloses a method where processed data is updated on specific period of time such as on a weekly basis (paragraph [0002] and [0006] discloses a computer-implemented system where database information is retrieved and updated on a regular basis (e.g., daily, weekly, etc.).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a method of Customer Management to include a time period such as on a weekly basis as taught by Yarnall et al. in order to provide the lender the updated information on borrower's mortgages.

The combination of Customer Management and Yarnall et al. discloses all the elements of the claim 17 invention above, but fails to explicitly disclose dates of loan satisfactions of the loan portfolio.

Rugge et al. discloses a method comprising dates of loan satisfactions of the loan portfolio (paragraphs [0052] and [0077] determines the date of the desired cash flow forecast date range for a home mortgage loan transaction).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a method of Customer Management and Yarnall et al. to include dates of loan satisfactions of the loan portfolio as taught by Rugge et al. in order to provide the lenders the forecast date range to predict their future borrower's home mortgage loan transactions.

Therefore, in the combination of Customer Management, Yarnall et al. and Rugge et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a forecasted method to provide the lenders the ability to manage not only their actual borrower's home mortgage loan transactions but also on budgeted futures transaction as well.

**9.		Claims 4, 6-8, 11-13, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Customer Management (John Adams. Financial Services Marketing),**

Yarnall et al. (2001/0020237) and Rugge et al. (2002/0174006), as modified above for claims 1 and 17, and further in view of Dreyer et al. (2004/0064402).

As per claim 4, the combination of Customer Management, Yarnall et al. and Rugge et al. disclose all the elements of the claim invention, but fails to explicitly disclose a system where the loan portfolio data and the title data do not include the name of the property owner and the social security number or other identification associated with the property owner.

Dreyer et al. discloses a system where the loan portfolio data and the title data do not include the name of the property owner and the social security number or other identification associated with the property owner (paragraph [0007] discloses a loan application including the customer's address and social security number. However in paragraph [0066] discloses where the lender does not need the customer information to complete application per the pre-approve customers in bulk. Therefore, pre-approve applications might not include the social security number or other identification associated with the customers).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system of Customer Management, Yarnall et al. and Rugge et al. to include the loan data that do not include the social security number or other identification associated with the customers in pre-approval applications as taught by Dreyer et al. in order to reduce the expense and the amount of work for the lenders in offering a new loan service.

Therefore, in the combination of Customer Management, Yarnall et al. Rugge et al., and Dreyer et al, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system to provide the lenders the benefits in offering a new loan service to their customers.

As per claim 6, the combination of Customer Management, Yarnall et al. and Rugge et al. disclose a system where dates of loan satisfactions of the loan portfolio (paragraphs [0052] and [0077] of Rugge et al. determines the date of the desired cash flow forecast date range for a home mortgage loan transaction) or a forecast of loan satisfactions of the loan portfolio (Page 1, paragraph 3 of Customer Management discusses lenders using a system, that includes electronically tracking title searches that indicates an early clue that borrowers are looking to refinance or turnover their existing mortgages, which examiner construes to be forecasting the prepayment of mortgages) is provided by forming a time series (paragraphs [0002] and [0006] of Yarnall et al. discloses a computer-implemented system where database information is retrieved and updated on a regular basis (e.g., daily, weekly, etc.).

The combination of Customer Management and Yarnall et al. and Rugge et al. disclose all the elements of claim 6 invention above, but fails to explicitly disclose the loan portfolios is provided by the number of loans.

Dreyer et al. discloses a system where the loan portfolios is provided by the number of loans (paragraph [0103] discloses a loan information system is provided by the number of loans).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system of Customer Management, Yarnall et al., and Rugge et al. to include number of loans as taught by Dreyer et al. in order to provide the lenders updated loan information.

Therefore, in the combination of Customer Management, Yarnall et al. Rugge et al., and Dreyer et al, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system to provide the lenders the ability to manage their borrower's mortgage loan portfolios.

As per claim 7, the combination of Customer Management, Yarnall et al. and Rugge et al. disclose all the elements of the claim invention, but fails to explicitly disclose a system where the matching data is categorized based on the type of the loan.

Dreyer et al. discloses a system where the matching data is categorized based on the type of the loan (paragraph [0077] discloses the type of loan such as an ARM loan, balloon loan, or buydown loan have been categorized in the loan approval process.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system of Customer Management, Yarnall et al. and Rugge et al. to include a type of loan as taught by Dreyer et al. in order to provide the lender specific area search based on the type of borrower's mortgage.

Therefore, in the combination of Customer Management, Yarnall et al. Rugge et al., and Dreyer et al, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system to provide the lenders the ability to manage their borrower's mortgage loan portfolios.

As per claim 8, the combination of Customer Management, Yarnall et al. and Rugge et al. disclose a system where dates of loan satisfactions of the loan portfolio (paragraphs [0052] and [0077] of Rugge et al. determines the date of the desired cash flow forecast date range for a home mortgage loan transaction) or a forecast of loan satisfactions of the loan portfolio (Page 1, paragraph 3 of Customer Management discusses lenders using a system, that includes electronically tracking title searches that indicates an early clue that borrowers are looking to refinance or turnover their existing mortgages, which examiner construes to be forecasting the prepayment of mortgages).

The combination of Customer Management and Yarnall et al. and Rugge et al. disclose all the elements of claim 8 invention above, but fails to explicitly disclose a forecast the loan

portfolio is based on an assumption that all loans for which a title search has been generated result in the satisfaction of the outstanding loan.

Dreyer et al. discloses a system where a forecast the loan portfolio is based on an assumption that all loans for which a title search has been generated result in the satisfaction of the outstanding loan (paragraphs [0074] and [0103] discloses the reports including funding, overall unpaid balance associated with the mortgage loans have been generated by the loan information system. The loan information system is used to forecast the funding for payoff and support the new loans based on these resulted reports).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system of Customer Management, Yarnall et al., and Rugge et al. to include a forecast the loan portfolio is based on an assumption that all loans for which a title search has been generated result in the satisfaction of the outstanding loan as taught by Dreyer et al. in order to provide the lenders a quick review on borrower's mortgage loan portfolios.

Therefore, in the combination of Customer Management, Yarnall et al. Rugge et al., and Dreyer et al, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system to provide the lenders the ability to manage their borrower's mortgage loan portfolios.

As per claim 11, the combination of Customer Management, Yarnall et al. and Rugge et al. disclose a system where a forecast of the loan portfolio based on similar satisfactions statistics of loans to indicate the expected changes as to prepayments for mortgage loans based on the number of title searches received (paragraph [0065] of Rugge et al. discloses a scaled budget item amount as a statistic of loan is calculated by the autobudget module to estimate of future income and expenses).

The combination of Customer Management and Yarnall et al. and Rugge et al. disclose all the elements of claim 11 invention above, but fails to explicitly disclose the data type comprises loan type to form matching data.

Dreyer et al. discloses a system where the data type comprises loan type to form matching data (paragraph [0077] discloses the type of loan such as an ARM loan, balloon loan, or buydown loan have been established by the lender.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system of Customer Management, Yarnall et al. and Rugge et al. to include loan type as taught by Dreyer et al. in order to provide the lender specific area search based on the type of borrower's mortgage.

Therefore, in the combination of Customer Management, Yarnall et al. Rugge et al., and Dreyer et al, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system to provide the lenders the ability to manage their borrower's mortgage loan portfolios.

As per claim 12, the combination of Customer Management, Yarnall et al. and Rugge et al. disclose all the elements of the claimed invention, but fails to explicitly disclose a system where the match of the loans from the portfolio to title data provides an indication as to prepayments with respect to one or more of the following loan types within a client's portfolio: Fannie Mac/Freddie Mac conventional loans; FHA/VA (HUD) loans; Sub-prime loans; and Jumbo loans.

Dreyer et al. discloses a system where loans from the portfolio (paragraphs [0074] discloses the loan information system) provides one of the following loan types: FHA/VA (HUD) loans and Jumbo loans (paragraph [0061] provides various mortgage loans, including, FHA loans and jumbo mortgage loans).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system of Customer Management, Yarnall et al. and Rugge et al. to include a type of loan as taught by Dreyer et al. in order to provide the lender specific area search for the title based on the type of borrower's mortgage.

Therefore, in the combination of Customer Management, Yarnall et al. Rugge et al., and Dreyer et al, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system to provide the lenders the ability to manage their borrower's mortgage loan portfolios.

As per claim 13, the combination of Customer Management, Yarnall et al. and Rugge et al. disclose all the elements of the claimed invention, but fails to explicitly disclose a system wherein the match of the loans from the portfolio to title data provides an indication as to prepayments with respect to one or more of the following loan types: fixed-rate 30, 15, 20-year term; interest only; adjustable rate; one-year conventional; 5-year adjustable; and 7-year adjustable.

Dreyer et al. discloses a system wherein the loans from the portfolio (paragraph [0074] discloses the loan information system) provide one of the following loan types: adjustable rate (paragraph [0061] provides various mortgage loans, including, fixed rate mortgage, adjustable rate mortgages, and mortgages for a term years).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system of Customer Management, Yarnall et al. and Rugge et al. to include a type of loan as taught by Dreyer et al. in order to provide the lender specific area search for the title based on the type of borrower's mortgage.

Therefore, in the combination of Customer Management, Yarnall et al. Rugge et al., and Dreyer et al, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify a system to provide the lenders the ability to manage their

borrower's mortgage loan portfolios.

As per claim 18, the combination of Customer Management, Yarnall et al. and Rugge et

al. disclose all the elements of the claim invention, but fails to explicitly disclose a method where

the loan portfolio data and the title data do not include the name of the property owner and the

social security number or other identification associated with the property owner.

Dreyer et al. discloses a method where the loan portfolio data and the title data do not

include the name of the property owner and the social security number or other identification

associated with the property owner (paragraph [0007] discloses a loan application including the

customer's address and social security number. However in paragraph [0066] discloses where

the lender does not need the customer information to complete application per the pre-approve

customers in bulk. Therefore, pre-approve applications might not include the social security

number or other identification associated with the customers).

It would have been obvious to one of ordinary skill in the art at the time the invention was

made to modify a method of Customer Management, Yarnall et al. and Rugge et al. to include

the loan data that do not include the social security number or other identification associated

with the customers in pre-approval applications as taught by Dreyer et al. in order to reduce the

expense and the amount of work for the lenders in offering a new loan service.

Therefore, in the combination of Customer Management, Yarnall et al. Rugge et al., and

Dreyer et al, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify a method to provide the lenders the benefits such as to reduce

the expense, effort and the amount of work in offering a new loan service to their customers.

As per claim 19, the combination of Customer Management, Yarnall et al. and Rugge et al. disclose all the elements of the claimed invention, but fails to explicitly disclose a method wherein the title data is compiled or obtained on a weekly basis from one or more title plants and compared to loan portfolio data from one or more loan portfolios on a weekly basis and the forecast for determination of loan prepayments is used to do one of: provide exacting knowledge of what types of loans are subject to early prepayment; provide a benchmark for a current prepayment model; provide for better hedging accuracy; provide for more focused marketing strategies; staff an organization managing the loan portfolio; and provide for new loan retention strategies.

Dreyer et al. discloses a method where determination of loan is used to provide for new loan retention (paragraph [0019] discloses the lender determine whether to retain or to sell each mortgage loan).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a method of Customer Management, Yarnall et al. and Rugge et al. to include a determination of loan as taught by Dreyer et al. in order to assist the lender to retain borrower's mortgage.

Therefore, in the combination of Customer Management, Yarnall et al. Rugge et al., and Dreyer et al, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system to provide the lenders the ability to manage their borrower's mortgage loan portfolios.

10. **Claims 4, 6-8, 11-13, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Customer Management (John Adams. Financial Services Marketing), Yarnall et al. (2001/0020237), Rugge et al. (2002/0174006), and Dreyer et al.**

(2004/0064402), as modified above for claims 1 and 17, and further in view of Galperin et al. (2002/0052836).

As per claim 15, the combination of Customer Management, Yarnall et al., Rugge et al., and Dreyer et al. disclose all the elements of the claimed invention, but fails to explicitly disclose a system comprising at least one of: a statically inferred percentage of loans likely to prepay in the coming months; a statically inferred terms of loans likely to prepay in the coming months; a statically inferred FICO score likely to prepay in the coming months a statically inferred type of activity: refinance, housing turnover, no action taken; a statically inferred effective refinance incentive; a statically inferred interest rate differential between prevailing loan rate and satisfied loan; and a statically inferred identification of streamline mortgagor behavior characteristics.

Galperin et al. discloses a system comprising at least one of: a statically inferred interest rate differential between prevailing loan rate and satisfied loan (paragraph [0037] comprises an econometric model 48 generates interest rate and mortgage rate that utilized by the prepayment calculations); a statically inferred identification of streamline mortgagor behavior characteristics (paragraph [0054] comprises a rewards pricing logic to measure and price the impact of rewards on consumer prepayment behavior); and a statically inferred a score likely to prepay (paragraph [0034] comprises a prepayment score to indicate the prepayment propensity of a customer).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a sytem of Customer Management, Yarnall et al., Rugge et al., and Dreyer et al. to comprise at least one of: a statically inferred interest rate differential between prevailing loan rate and satisfied loan; a statically inferred identification of streamline mortgagor behavior characteristics; and a statically inferred a score likely to prepay as taught by Galperin et al. in order to assist the lender to retain borrower's mortgage.

Therefore, in the combination of Customer Management, Yarnall et al., Rugge et al., and Galperin et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a system to provide the lenders the ability to manage and retain their borrower's mortgage loan portfolios.

As per claim 20, the combination of Customer Management, Yarnall et al., Rugge et al., and Dreyer et al. disclose a method where the forecasts dates of loan satisfactions is provided (paragraphs [0052] and [0077] of Rugge et al determines the date of the desired cash flow forecast date range for a home mortgage loan transaction).

The combination of Customer Management, Yarnall et al., Rugge et al., and Galperin et al. disclose all the elements of the claimed invention, but fails to explicitly disclose a method where title data is provided to a loan prepayment calculation and forecasting entity that matches the outstanding loan data of a data type corresponding at least one data type of title data (paragraph [0037] discloses the loan information 58 is provided to the prepayment calculation server 46) and determines or forecasts dates of loan satisfactions for a fee and the loan prepayment calculation and forecasting entity charges the loan portfolio manager or holder a fee for the determination or forecast (paragraph [0006] discloses the mortgage broker generates a fee for the broker per lending transactions. Lending transactions associates with prepayment score process. Therefore, a fee can be charged to the broker when the prepayment score process is occurred).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a method of Customer Management, Yarnall et al., Rugge et al., and Dreyer et al. to disclose a method where title data is provided to a loan prepayment calculation and forecasting entity that matches the outstanding loan data of a data type corresponding at least one data type of title data and forecasts dates of loan satisfactions for a fee and the loan

prepayment calculation and forecasting entity charges the loan portfolio manager or holder a fee

for the determination or forecast as taught by Galperin et al. in order to provide the lender a

quick review on the budget expense per forecasting their borrower's mortgages.

Therefore, in the combination of Customer Management, Yarnall et al., Rugge et al., and

Galperin et al., it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify a method to provide the lenders the ability to manage and

forecast their borrower's mortgage loan portfolios.

Conclusion

11.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Freeman et al. (US 6,249,775) discloses a method for mortgage and closed end loan

portfolio management.

Harari (2003/0033241) discloses a system and method for automated loan origination,

processing and approval.

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Tien C. Nguyen whose telephone number is 571-272-5108. The examiner

can normally be reached on Monday-Thursday (8:00am-4:00pm EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Lynda Jasmin can be reached on 571-270-3033. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Elaine Gort/
Primary Examiner, Art Unit 3627

TN
10/22/2007